

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA

NO. CR. S-04-435 WBS

Plaintiff,

v.

ORDER

JOSEPH BANISTER,

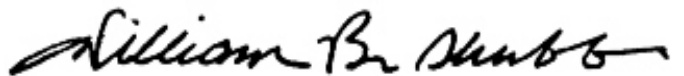
Defendant.

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Defendant Banister has filed a motion to dismiss the indictment for lack of sufficiency and a motion to strike portions of Count one of the indictment. Defendant does not request oral argument on either of the motions. The United States is ordered to file its responses to each of these motions on or before May 26, 2005; and defendant Banister may file his replies on or before May 31, 2005. The motions will then be taken under submission

IT IS SO ORDERED.

DATED: May 19, 2005



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE